

APPENDIX A
FACTS TO BE DEEMED ESTABLISHED

Plaintiffs respectfully request that the following facts—most taken directly from RFAs that Fields refused to answer—be deemed established as to Defendant James Fields:

1. On August 12, 2017, Mr. Fields slowly proceeded in his Dodge Challenger down Fourth Street in Charlottesville, Virginia, toward a crowd of pedestrians located at the intersection of Fourth Street and East Water Street, and observed the crowd while idling in his vehicle. (RFA No. 38.)
2. On August 12, 2017, after observing the crowd of pedestrians at Fourth Street and East Water Street, Mr. Fields slowly reversed his Dodge Challenger back up Fourth Street toward the top of the hill, near the intersection of Fourth Street and East Market Street. (RFA No. 39.)
3. On August 12, 2017, Mr. Fields rapidly accelerated his Dodge Challenger down Fourth Street towards the intersection of Fourth Street and East Water Street, running through a stop sign and across a raised pedestrian mall, and drove directly into a crowd of pedestrians. (RFA No. 40.)
4. On August 12, 2017, after Mr. Fields hit a crowd of pedestrians with his Dodge Challenger, Mr. Fields struck a parked vehicle near the intersection of Fourth Street and East Water Street. (RFA No. 41.)
5. On August 12, 2017, after striking another vehicle with his Dodge Challenger, Mr. Fields rapidly reversed his car and fled the scene. (RFA No. 42.)
6. On August 12, 2017, Mr. Fields drove into a crowd of pedestrians because of the actual or perceived race, color, religion, and/or national origin of individuals in the crowd. (RFA No. 43.)

7. On August 12, 2017, Mr. Fields intentionally drove his Dodge Challenger towards a group of pedestrians in Charlottesville, Virginia. (RFA No. 44.)
8. On August 12, 2017, Elizabeth Sines was in the crowd towards which Mr. Fields intentionally drove his Dodge Challenger. (RFA No. 45.)
9. On August 12, 2017, Marissa Blair was in the crowd towards which Mr. Fields intentionally drove his Dodge Challenger. (RFA No. 46.)
10. On August 12, 2017, April Muniz was in the crowd towards which Mr. Fields intentionally drove his Dodge Challenger. (RFA No. 47.)
11. On August 12, 2017, Marcus Martin was in the crowd towards which Mr. Fields intentionally drove his Dodge Challenger. (RFA No. 48.)
12. On August 12, 2017, Natalie Romero was in the crowd towards which Mr. Fields intentionally drove his Dodge Challenger. (RFA No. 49.)
13. On August 12, 2017, Chelsea Alvarado was in the crowd towards which Mr. Fields intentionally drove his Dodge Challenger. (RFA No. 50.)
14. On August 12, 2017, Thomas Baker was in the crowd towards which Mr. Fields intentionally drove his Dodge Challenger. (RFA No. 51.)
15. On August 12, 2017, Mr. Fields intentionally drove his Dodge Challenger into a group of pedestrians in Charlottesville, Virginia. (RFA No. 52.)
16. On August 12, 2017, Mr. Fields struck a group of pedestrians with his Dodge Challenger. (RFA No. 53.)
17. On August 12, 2017, Mr. Fields struck Marcus Martin with his Dodge Challenger. (RFA No. 57.)

18. On August 12, 2017, Mr. Fields struck Natalie Romero with his Dodge Challenger. (RFA No. 58.)
19. On August 12, 2017, Mr. Fields struck Chelsea Alvarado with his Dodge Challenger. (RFA No. 59.)
20. On August 12, 2017, Mr. Fields struck Thomas Baker with his Dodge Challenger. (RFA No. 60.)
21. On August 12, 2017, Mr. Fields caused injury to pedestrians in Charlottesville, Virginia. (RFA No. 61.)
22. On August 12, 2017, Mr. Fields caused emotional injury to Elizabeth Sines. (RFA No. 62.)
23. On August 12, 2017, Mr. Fields caused emotional injury to Marissa Blair. (RFA No. 63.)
24. On August 12, 2017, Mr. Fields caused emotional injury to April Muniz. (RFA No. 64.)
25. On August 12, 2017, Mr. Fields caused physical and emotional injury to Marcus Martin. (RFA No. 65.)
26. On August 12, 2017, Mr. Fields caused physical and emotional injury to Natalie Romero. (RFA No. 66.)
27. On August 12, 2017, Mr. Fields caused physical and emotional injury to Chelsea Alvarado. (RFA No. 67.)
28. On August 12, 2017, Mr. Fields caused physical and emotional injury to Thomas Baker. (RFA No. 68.)
29. Mr. Fields was not in reasonable apprehension of death or great bodily harm prior to driving his Dodge Challenger into a group of pedestrians. (RFA No. 69.)
30. Mr. Fields did not retreat from a threat of death or great bodily harm and announce his desire for peace, prior to driving his Dodge Challenger into a group of pedestrians. (RFA No. 70.)

31. Mr. Fields striking a crowd of pedestrians with his Dodge Challenger was not a reasonably apparent necessity to preserve his life or save himself from great bodily harm. (RFA No. 71.)
32. Mr. Fields pled guilty to twenty-nine (29) counts of violating 18 U.S.C. § 249(a)(1) because he is, in fact, guilty of what was charged in those counts. (RFA No. 74.)
33. Mr. Fields has espoused violence against African Americans. (RFA No. 77.)
34. Mr. Fields has espoused violence against Jewish people. (RFA No. 78.)
35. Mr. Fields has espoused violence against members of racial, ethnic, and religious groups that he perceived to be non-white and their supporters. (RFA No. 79.)
36. When Mr. Fields hit pedestrians with his Dodge Challenger on August 12, 2017, he was motivated by animosity towards non-white individuals and their supporters. (RFA No. 123.)
37. Mr. Fields could have prevented himself from committing violence at the Unite the Right rally that took place on August 12, 2017 in Charlottesville, Virginia. (RFA No. 137.)
38. Mr. Fields created two Discord accounts in July 2017.
39. Mr. Fields refused to provide Plaintiffs with access to his communications from the Discord accounts, in violation of a Court order to do so, and he refused to do so knowing that Plaintiffs have alleged that Defendants used Discord to plan racially-motivated violence at the Unite the Right Rally.
40. Mr. Fields refused to testify at a deposition by Plaintiffs' counsel.
41. Mr. Fields anticipated that there would be violence at the Unite the Right Rally.
42. Mr. Fields entered into an agreement with one or more co-conspirators to engage in racially-motivated violence in Charlottesville, Virginia on August 11 and 12, 2017.

43. Mr. Fields was motivated by animus against racial minorities, Jewish people, and their supporters when conspiring to engage in acts of intimidation and violence on August 12, 2017 in Charlottesville, Virginia.
44. It was reasonably foreseeable to Mr. Fields and intended by Mr. Fields that co-conspirators would commit acts of racially-motivated violence and intimidation on August 11, 2017.
45. It was reasonably foreseeable to Mr. Fields and intended by Mr. Fields that co-conspirators would commit acts of racially-motivated violence and intimidation on August 12, 2017.
46. Mr. Fields was aware that the crowd gathered at 4th Street and East Water Street on August 12, 2017, was composed of counter protesters.
47. Mr. Fields committed his car attack in furtherance of the conspiracy to engage in racially-motivated violence in Charlottesville, Virginia on August 11 and 12, 2017.